



Organization for Security and Co-operation in Europe

High Commissioner on National Minorities

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WELCOMING REMARKS

by

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at the

Round Table

**”Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations
and their implementation in the region of Central and Eastern Europe”**

[Check Against Delivery]

Vienna, Austria – 16 February 2010

Ladies and Gentlemen,

I am pleased to welcome you to the round table on the HCNM's Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations and their implementation in the Central and Eastern European region.

Your region is a young one. While many ethnic groups have been in the region since time immemorial, most of the States on the current map are relatively new.

This youth brings considerable advantages. The States of the region have been – until the financial crisis – amongst the fastest growing economies in the world. Youth means greater business opportunities, higher returns and less red tape.

There is, however, another side to youth. Most of the Central and Eastern European States are also in the process of building their nations. They are reinventing themselves after decades, or even centuries, of foreign reign and domination. All of the OSCE participating States have gone through the same self-examination in their history. Many of the "graduates" have re-entered the process or are about to go through it again, as our societies become more diverse. The challenge is to balance nation-building with respect for minority rights and identity.

The situation in your region, however, requires particular caution. It is made up of an intricate patchwork of ethnic groups. Enforcement of homogeneity is simply not an option. We have been witness to many instances when such attempts backfired.

Imposition of uniformity is dangerous because of the presence of the kin-State next door. Any injustice against a minority – real or perceived – in one State resonates throughout the geographic “neighbourhood”. This is why policymakers need to take a step back to double-check each decision they make, before taking any step forward in the reinvention process. This applies to states of residence when they design integration policies. But it equally applies to kin-states who can assume the role of constructive partner or of intrusive actor, undermining their neighbour's security and stability.

Ladies and Gentlemen,

The issue on the table today is hardly new on the world agenda. As far back as 1555 with the Peace of Augsburg, the treatment of minorities has been at the centre of international politics. Other treaties like the Peace of Westphalia in 1648, the Congresses of Vienna in 1815 and Berlin in 1878 and the Treaty of Versailles in 1919 have followed.

A little more than 90 years ago, at Versailles, US President Woodrow Wilson gave an eloquent account of the importance of good minority-majority relations: "Nothing, I venture to say, is more likely to disturb the peace of the world than the treatment which might in certain circumstances be meted out to minorities".

Indeed, if one takes a closer look at the events I have just listed, they all signalled the end of major upheavals in Europe's history. Under the Peace of Westphalia and all subsequent arrangements, countries started to invite external scrutiny of their domestic affairs. This was done with a single purpose in mind – to prevent religious and ethnic strife from recurring.

Ladies and Gentlemen,

In 1991, the OSCE participating States went one step further. In Moscow they agreed that “commitments undertaken in the field of the human dimension of the OSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.” It has become impossible to hide misconduct under the guise of internal affairs.

The interest in monitoring one's neighbour or fellow OSCE partner has been on the increase. The formation of new States and nation-building, ethnic mobilization and changes to population composition and borders have all contributed to this phenomenon.

To a large degree, this interest has to do with the fact that ethno-cultural and State boundaries seldom coincide. While all OSCE States are multi-ethnic and most of them have kin-minorities living in a State or States next door, your region is a particularly colourful mosaic of ethnicity. Many of the States in Central and Eastern Europe take a keen interest in the well-being of their kin-minorities and actively support them.

Such interest and support are at times treated with suspicion by the State where the minority in question resides. The State of residence is often concerned that interest and support mask wider political goals of the external benefactor. Historical legacies exacerbate the problem, especially when wounds have never fully healed.

What has been missing in the following years is a document that sets out the terms of reference for the kin-States. A document that defines how, under what conditions and within which limitations States may pursue their interest with respect to citizens of another country. Where does the line lie between “direct and legitimate concern”, on the one hand, and “interference in internal affairs”, on the other? What tangible support can a kin-State offer to its kin-minority under international law? How can States co-operate rather than clash over national minority issues?

As my predecessor Rolf Ekéus noted: “History shows that when States take unilateral steps on the basis of national kinship to protect national minorities living outside of the jurisdiction of the State, this sometimes leads to tensions and frictions, even violent conflict.” It is therefore essential, both from the point of view of human security and of inter-State peace, that there is no ambiguity when it comes to a State’s relations with its kin-abroad.

The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations attempt to find answers to these questions. The document strives to cast light on the highly sensitive, but extremely relevant issues regarding the status and the role of national minorities in inter-State relations. It aims to reduce ambiguity and show that if certain rules are followed and basic principles respected, national minorities do not have to be part of the problem in inter-State relations, but can instead become part of the solution. Indeed, within the OSCE region there are several examples of such positive solutions to what could have developed into potential inter-State tensions over national minorities. The best-known examples in the OSCE region as a whole are the Danish minority in Germany and the German minority in Denmark, the Åland islands and the Swedes in Finland, which illustrate how friendly, neighbourly relations can be enjoyed *thanks to* and *not in spite of* the presence of national minorities on the other side of the border.

Ladies and Gentlemen,

Today's meeting offers us a golden opportunity to examine how the Bolzano/Bozen Recommendations can serve to build bridges between States when dealing with national minority issues. Our discussion will hopefully identify good practice in the inter-State relations already existing in the region of Central and Eastern Europe. But we should not shy away from raising the more thorny aspects that you feel exist in relations between your States concerning sensitive minority issues, which have surfaced in past years. Bilateral dialogue or discussions in international forums is the best way to tackle such problems.

I have no intention of dwelling on *each* and *every* provision of the Bolzano/Bozen Recommendations, but I would like to underline a few key messages.

First, they reiterate the basic principle of international law. Namely, that the protection of national minorities is the responsibility of the State where minorities reside. An elaborate maze of minority treaties and obligations was designed during the interwar years in Europe. In many ways, it was imposed by the “Great Powers” on new, smaller States. The result was a spectacular failure.

In contrast, advances in the treatment of minorities in the mid- and late-1990s are attributed to the quest of States for greater legitimacy, international acceptance and recognition. In short, standards work only when States themselves are sincerely committed to them. Final responsibility for success or failure in the protection of national minorities is in your hands.

The international community can and should intervene when human rights, including minority rights, are violated on a large scale, as in cases of ethnic cleansing and mass expulsion. The international community can and should also become involved when problems are still in their infancy.

Unilateral action is not a substitute for multilateral diplomacy. Unilateral intervention by kin-States, particularly neighbouring States, is risky. It can cast doubt on their motives and the credibility of their actions.

The second message I would like to mention is closely related to the first one: Recourse to reciprocity has no place in the debate on minority issues. I sometimes hear complaints about

the real or perceived mistreatment of a country's kin minority put forward as justification for suppressing or discouraging minority identity at home. This logic is fundamentally flawed. Pointing the finger at a neighbour and imitating bad behaviour is destructive. Let me remind you once again: one of the bedrocks of international law is that the protection of human rights, including minority rights, is the obligation of the States where minorities reside – they bear the responsibility for “their minorities”.

Finally, kin-States *are* allowed to extend benefits to persons residing abroad. This is *not* prohibited. On the contrary, their interest in the well-being of minority groups abroad is legitimate. It can, and often does in fact, contribute to the well-being of minority groups. However, it does not entitle or imply a right under international law to exercise jurisdiction over these persons on the territory of another State. The influence and interests of the “kin-State” can and should be pursued in co-operation with the State of residence. By doing this, benefits such as cultural and educational opportunities, travel grants, work permits, facilitated access to visas and the like, can ease international relations and help minorities serve as bridges in relations between States and contribute to regional friendship and prosperity.

Ladies and Gentlemen,

Co-operation, dialogue and partnership between States will prevent inter-State tension over national minority issues. This can take various forms – bilateral treaties, intergovernmental committees, multilateral agreements or transfrontier co-operation between local and regional authorities and minority self-governments. The common denominator, however, is that they can contribute to tolerance and economic well-being; they can strengthen inter-State relations and also encourage agreement on minority issues.

Several international mechanisms exist that make it possible to discuss these issues peacefully within a multilateral framework. The OSCE is clearly one of them, and this meeting – like the other regional round tables I have already organized or am in the process of organizing in different parts of the OSCE area – is meant to provide an additional opportunity for dialogue and exchange of information. It is my experience that sometimes tensions over minorities abroad arise simply because the relevant actors do not get together and do not think to inform one another.

This is why I sincerely thank you and your governments for your active interest and willingness to debate these issues. As long as this is done constructively, the less you shy away from bringing up and debating difficult topics, the more successful and helpful the meeting will be.

It is said that “a lot of the troubles in the world would disappear if we were talking *to* each other instead of *about* each other.” I hope that inter-State discussions on national minority issues in the OSCE area will be guided by exactly this spirit and that today’s round table will be seen as a step in this direction.

Thank you.